

MEMORANDUM

September 9, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney
SUBJECT: BOARD OF APPEAL REFERRALS

Petition No. Z-2233
Samuel Aruzza
115 Pembroke Street, South End

Petitioner seeks two variances for a change of occupancy from a lodging house to six apartments in an apartment (H-2) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive	2.0	3.2
Section 17-1. Open space is insufficient	150 sf/du	70 sf/du

The property, located on Pembroke Street between Tremont Street and Shawmut Avenue in the South End Urban Renewal Area, contains a five story brick structure. The proposed six apartment density would be undesirable and contrary to the residential objectives of the South End Urban Renewal Plan. The staff recommends a maximum of five apartments (one per floor) and that the proposed conversion and rehabilitation plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2233, brought by Samuel Aruzza, 115 Pembroke Street in the South End Urban Renewal Area, for two variances for a change of occupancy from a lodging house to six apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends a maximum of five apartments (one per floor) and that the proposed conversion and rehabilitation plans be submitted to the Authority for design review approval. The proposed six apartment density would be undesirable and contrary to the residential objectives of the South End Urban Renewal Plan.

This is a detailed street map of a section of Boston, Massachusetts. The map shows a grid of streets and lots, with numerous lot numbers printed on the blocks. Key streets visible include Penbroke St. (running vertically on the left), Brookline (running horizontally across the middle), Tremont (running vertically on the right), and Warren (running horizontally at the bottom). Other streets shown include Montgomery, Canton, West, and Newton. Landmarks such as the Church of the Apostolic of Jesus and the Church of the Baptist are marked. A compass rose is located in the upper right corner, indicating North. The map is oriented with North towards the top right.

Board of Appeal Referrals 9/9/71

Petition No. Z-2236
Martin M. Kane
39 Sturbridge Street, Mattapan

Petitioner seeks six variances to erect a one family dwelling in a residential (R-.5) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-1. Lot area is insufficient.	5000sf	3000 sf
Section 14-3. Lot width is insufficient.	50 ft.	34 ft.
Section 14-4. Street frontage is insufficient.	50 ft.	34 ft.
Section 18-1. Front yard is insufficient.	20 ft.	19 ft.
Section 19-1. Side yard is insufficient.	10 ft.	5 ft.
Section 23-1. Off street parking is insufficient.	1 space	0

The property, located on Sturbridge Street near the intersection of Monson Street, contains 3000 square feet of vacant land. Many similar lots exist in the immediate neighborhood. The staff recommends that the petitioner, who also owns the abutting corner lot, provide an easement and supply the required off street parking facility. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2236, brought by Martin M. Kane, 39 Sturbridge Street, Mattapan, for six variances to erect a one family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the proviso that the petitioner, who also owns the abutting corner lot, provide an easement and supply the required off street parking facility.



Z-2236
39 STURBRIDGE ST.
(MATTAPAN)

Board of Appeal Referrals 9/9/71

Petition No. Z-2237
Hayes Bickford Luncheon Systems, Inc.
The First Church of Christ, Scientist
(Contract - Vendee)
32 Garrison Street, Boston

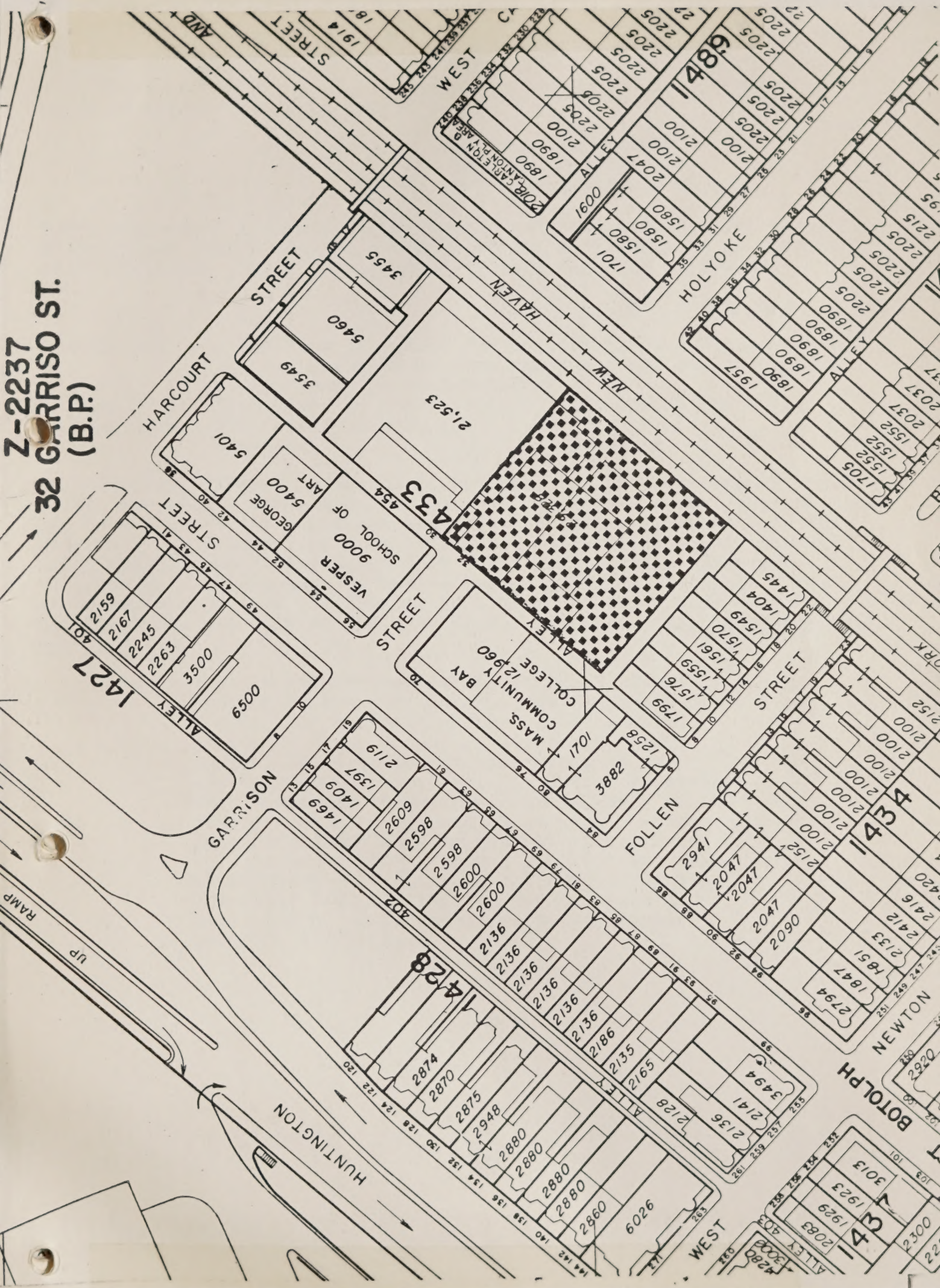
Petitioner seeks a change in a non conforming use for a change of occupancy from a commissary, office and ten car garage to a warehouse and business garage in an apartment (H-2) district. The proposal would violate the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on Garrison Street near the intersection of Botolph Street, contains a two story masonry structure. The proposed warehouse and business garage would serve the Christian Science Church and its various activities. This property is located two blocks from the new Christian Science center presently under construction. Vehicular traffic to and from the property would be substantially less than when the building was utilized as an active food commissary for the Hayes Bickford System. The premises afford appropriate facilities for the operation of the proposed uses. Recommend approval.

VOTED: That in connection with Petition No. Z-2237, brought by Hayes Bickford Luncheon Systems Inc. and the First Church of Christ Scientist (Contract - Vendee), 32 Garrison Street, Boston, for a change in a non conforming use for a change of occupancy from a commissary, office and ten car garage to a warehouse and business garage in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. The proposed use would generate less vehicular activity than the former commissary use. Appropriate facilities exist on the premises for the warehouse and business garage operation.

Z-2237
32 GARRISO ST.
(B.P.)



Board of Appeal Referrals 9/9/71

Petition No. Z-2241
Harry M. Angelus
907 Beacon Street, Boston

Petitioner seeks a forbidden use permit and two variances for a change of occupancy from a lodging house to twelve apartments in an apartment (H-2) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.		
Section 17-1. Open space is insufficient.	150 sf/du	80 sf/du
Section 23-1. Off street parking not provided.	5 spaces	0

The property, located on Beacon Street near the intersection of Park Drive, contains a three story structure. In recent years, the building has been operated as a lodging house accommodating approximately 25 lodgers. The proposal as submitted would be unsuitable; efficiency units would be small and would lack sufficient storage space and circulation. Arrangement of living spaces would be difficult. The staff recommends that the density be limited to two 1 bedroom units per floor and one unit at the rear of the basement. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2241, brought by Harry M. Angelus, 907 Beacon Street, Boston, for a forbidden use permit and two variances for a change of occupancy from a lodging house to twelve apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval only if the proposed density is reduced to two 1 bedroom units per floor and one unit at the rear of the basement. The proposal as submitted would be unsuitable; efficiency units would be small and would lack sufficient storage space and circulation. Arrangement of living spaces would be difficult.

WILLIAM
MC KINLEY
SCHOOL

STREET

STREET

BOSTON UNIVERSITY
WARREN
HALL

THE SECOND
CHURCH IN
BOSTON

AUDUBON

CIRCLE

STREET

BEACON

KESWICK

STREET

STREET

PARK

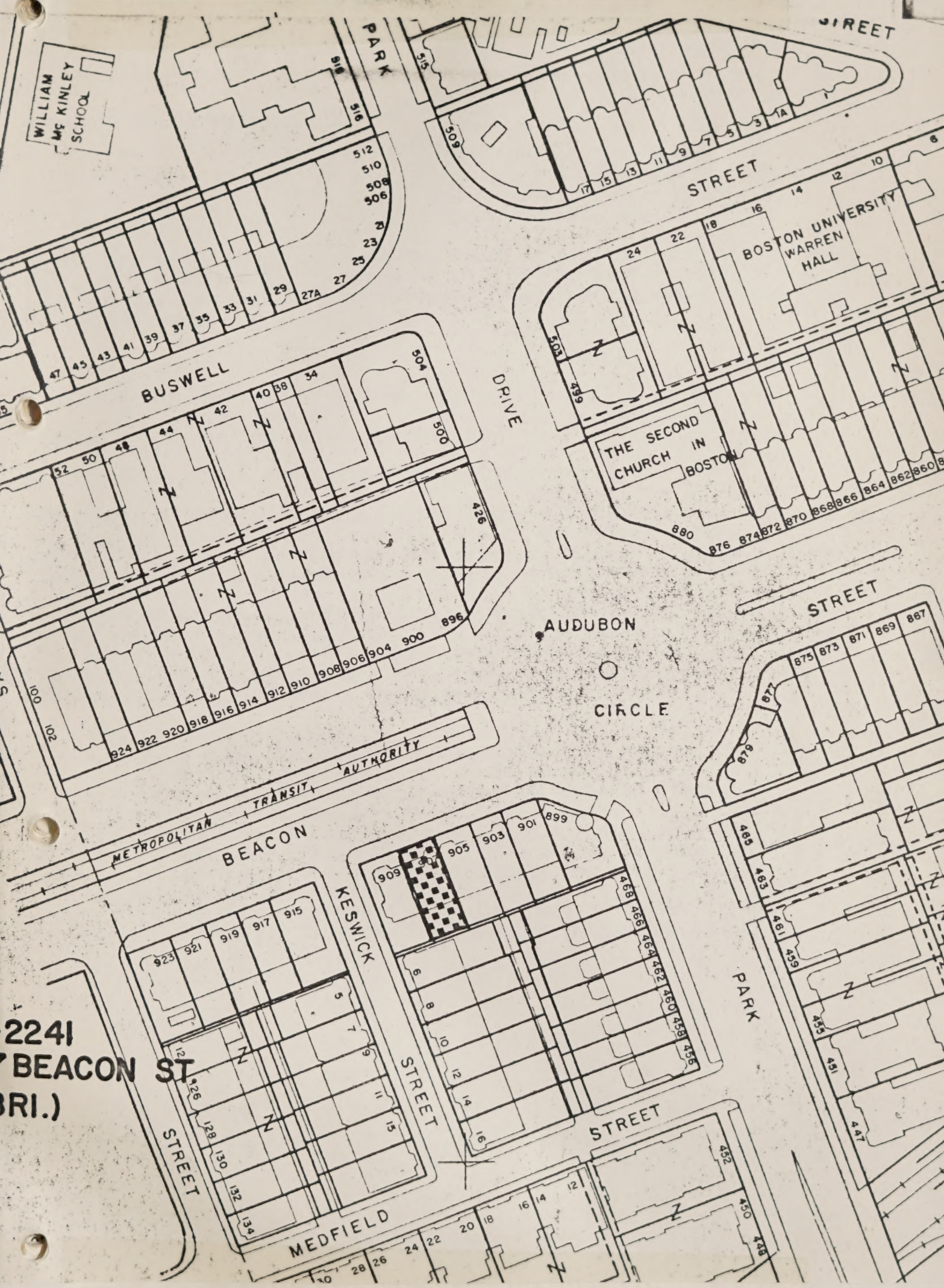
MEDFIELD

2241
BEACON ST
(BRI.)

METROPOLITAN

TRANSIT

AUTHORITY



Board of Appeal Referrals 9/9/71

Petition No. Z-2242
Provident Institution for Savings
34-36 Temple Place and 28-38
Winter Street, Boston

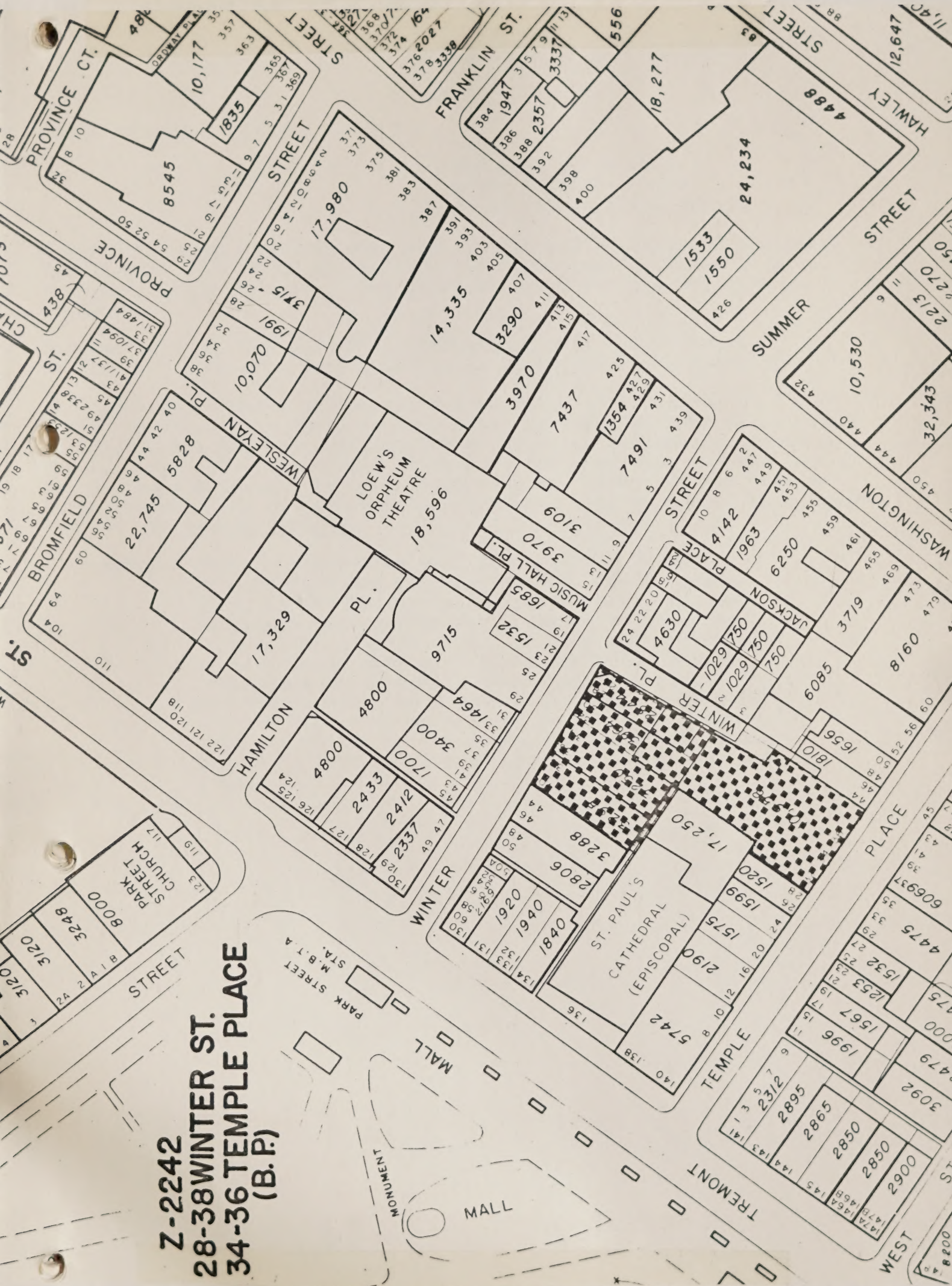
Petitioner seeks three variances to erect an eleven story and basement bank, office and retail addition to an existing bank and office building in a general business (B-10) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 21-1. Setback of parapet is insufficient.	8. - .9 - 20.	0 - 0 - 0
Section 24-1. Off street loading is insufficient.	2	1
Section 24-2. Size of loading bay is insufficient.		

The property, located between Temple Place and Winter Street in the Central Business District, contains a bank and office building. The petitioner proposes to demolish the existing four story wing on Winter Street and erect an eleven story banking, retail and general office structure. This proposed extension would be constructed with either a reinforced concrete or fireproofed structural steel frame on reinforced concrete spread footings. The exterior walls would be masonry with aluminum sash. The plans have been reviewed by the BRA staff. The proposal would not detract from the unique shopping and pedestrian character of Winter Street. Recommend approval.

VOTED: That in connection with Petition No. Z-2242, brought by Provident Institution for Savings, 34-36 Temple Place and 28-38 Winter Street, Boston, for three variances to erect an eleven story and basement bank, office and retail addition to an existing bank and office building in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. The proposed eleven story bank extension would not detract from the unique shopping and pedestrian character of Winter Street. The Plans have been reviewed by the Authority staff.

Z-2242
28-38 WINTER ST.
34-36 TEMPLE PLACE
(B.P.)



Board of Appeal Referrals 9/9/71

Petition No. Z-2243
Greek Orthodox Church
26-28 Tavern Road, Boston

Petitioner seeks two forbidden use permits for a change of occupancy from a boys club to an art gallery and architects' offices in an apartment (H-2) district. The proposal would violate the code as follows:

Section 8-7. An art gallery is forbidden in an H-2 district.
Section 8-7. An architect's office is forbidden in an H-2 district.

The property, located on Tavern Road near the intersection of Field Street in the Fenway Urban Renewal Area, contains a three story vacant building which had been used in recent years as a plumbing warehouse. The proposed conversion would revitalize the property, improve the neighborhood and would be consistent with the intent of the Fenway Urban Renewal Plan and the existing cultural uses on nearby Huntington Avenue. Recommend approval.

VOTED: That in connection with Petition No. Z-2243, brought by Greek Orthodox Church, 26-28 Tavern Road, in the Fenway Urban Renewal Area, for two forbidden use permits for a change of occupancy from a boys club to an art gallery and architects' offices in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. The proposed conversion would revitalize the property, improve the neighborhood and would be consistent with the intent of the Fenway Urban Renewal Plan and the existing cultural uses on nearby Huntington Avenue.



139,151

4438
Z-2243

26-28 TAVERN RD.
(B.P.)

BUGGLES

252V-2

18.15

GREEK ORTHODOX
CATHEDRAL
OF N.E.
EDGAR ST.

PARKER

IRA ALLEN
SCHOOL
19,380
2450

BOSTON

TRADE

ANNUNCIATION

PARKING AREA
490,070
4377
ROAD

BOSTON

HOUSING

AUTHORITY

MISSION

HILL EXTENSION

DE

Board of Appeal Referrals 9/9/71

Petition No. Z-2245
John A. & Cornelius F. Daly
19 Alpine Street, Washington Park

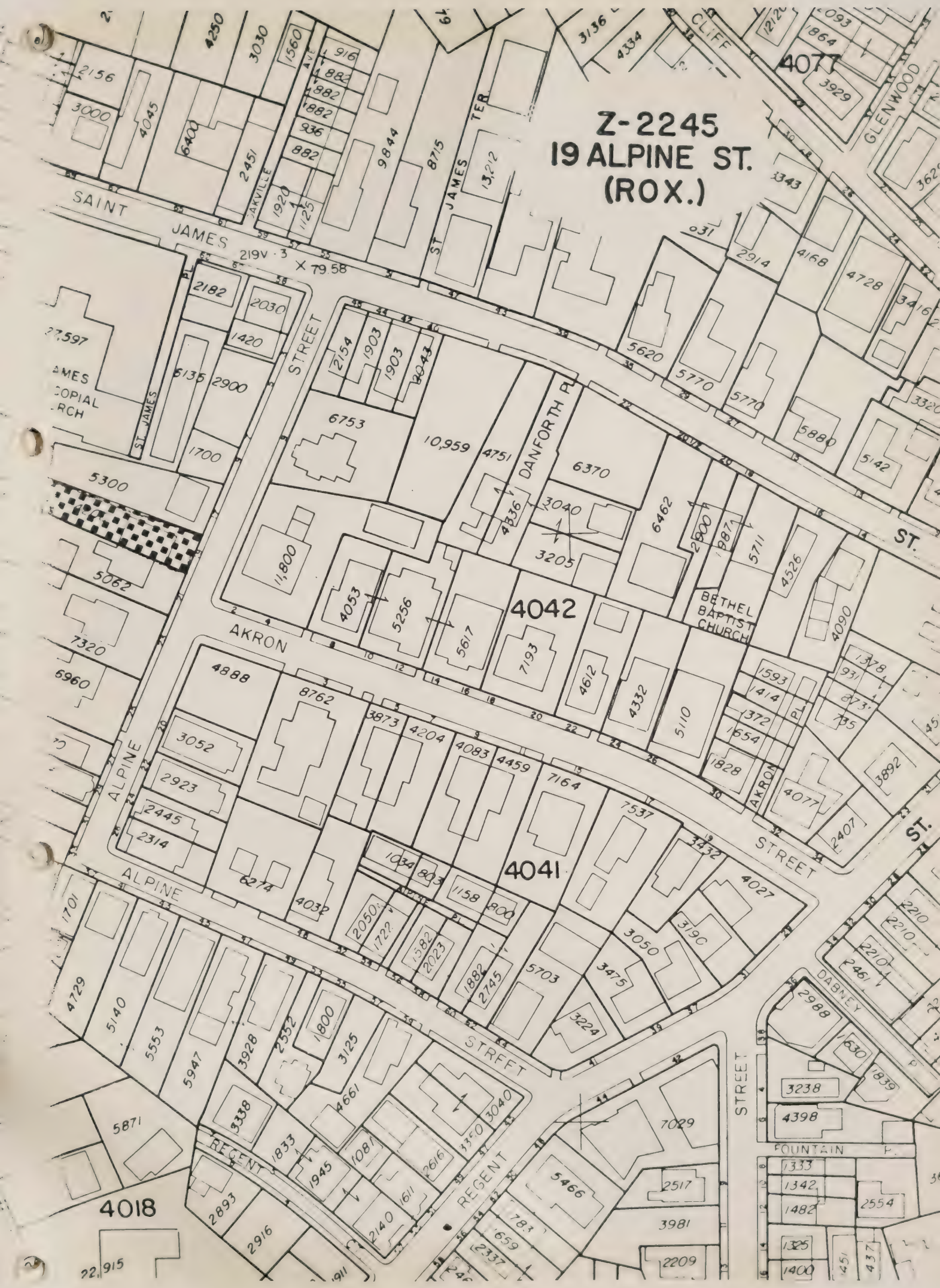
Petitioner seeks a conditional use permit and a variance for a change of occupancy from three to four families in an apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting the requirements of lot area is conditional in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0

The property, located on Alpine Street near the intersection of Akron Street in the Washington Park Urban Renewal Area. The petitioner purchased the property as a four family dwelling in 1959. This petition would legalize the existing basement apartment. The proposal would be compatible with the Washington Park Urban Renewal Plan. Recommend approval.

VOTED: That in connection with Petition No. Z-2245, brought by John A. & Cornelius F. Daly, 19 Alpine Street, Washington Park, for a conditional use permit and a variance for a change of occupancy from three to four families in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The four family occupancy has existed for many years. The proposal would be compatible with the Washington Park Urban Renewal Plan.

**Z-2245
19 ALPINE ST.
(ROX.)**



Board of Appeal Referrals 9/9/71

Petition No. Z-2246
President and Fellows of Harvard College
49 Harvard Way, Brighton

Petitioner seeks a conditional use permit to erect two 1 story additions to a refectory building in an apartment (H-1) district. The proposal would violate the code as follows:

Section 8-6. A structural change to a pre-existing conditional use requires a Board of Appeal hearing.

The property, located on Harvard Way in the Harvard Business School complex near the intersection of North Harvard Street, contains a three story refectory building. Petitioner proposes to enclose the two patios on the roofs of the one story wings. The enclosed space will provide additional dining area for students. The proposed extensions would not affect nor encroach upon existing residential areas. Recommend approval.

VOTED: That in connection with Petition No. Z-2246, brought by President and Fellows of Harvard College, 49 Harvard Way, Brighton, for a conditional use permit to erect two 1 story additions to a refectory building in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The proposed refectory extensions would not affect nor encroach upon existing residential areas.

HARVARD

PARKING

2,668,333
SCHOOL

BUSINESS

Z-2246
49 HARVARD WAY
(BRI.)

WALL

WALL

WALL

775

WAY

593, 366

PIERHEAD-

SOLDIERS

FIELD

CARD

Board of Appeal Referrals 9/9/71

Petition No. Z-2247
Mabro Realty Trust
Herman Yorks, Trustee
726 Commonwealth Avenue, Boston

Petitioner seeks an extension of a non conforming use for a change of occupancy from 41 apartments and store to 36 apartments and store in an apartment (H-4) district. The proposal would violate the code as follows:

Section 9-2. An extension of a non conforming use requires a Board of Appeal hearing.

The property, located on Commonwealth Avenue near the intersection of St. Mary's Street, contains a five story and basement apartment - retail structure. The basement bookstore has been in existence for approximately 5 years. It is proposed to extend the store by eliminating four existing apartments at the first floor level thereby creating space for an office and the storage of college text books. The staff has no objection to the proposal in this apartment - local business neighborhood, but recommends that plans for signs, stairways and frontage be submitted to the Authority for design review. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2247, brought by Mabro Realty Trust, 726 Commonwealth Avenue, Boston, for a change of occupancy from 41 apartments and store to 36 apartments and store in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval of the proposal in this apartment - local business neighborhood provided that plans for signs, stairways and frontage be submitted to the Authority for design review.



Z-2247
726 COMMONWEALTH AVE.
(BRI.)

Board of Appeal Referrals 9/9/71

Petition No. Z-2248
Commercial Inland Properties, Inc.
81-85 Atlantic Avenue & 175-179
Commercial Street, Boston

Petitioner seeks a conditional use permit for a change of occupancy from manufacturing, warehouse and restaurant to 48 apartments, stores, restaurant and offices in a light manufacturing (M-2) district. The proposal would violate the code as follows:

Section 8-7. A multi family dwelling is conditional in an M-2 district.

The property, located between Commercial Street and Atlantic Avenue in the Waterfront Urban Renewal Area, contains a four story masonry structure on an area of approximately 12,600 square feet. The waterfront district is undergoing a substantial conversion from a mercantile to a residential character. The proposal would be consistent with this prevailing change, with the intent of the Waterfront Urban Renewal Plan, and would improve and make viable a deteriorating structure. Recommend approval.

VOTED: That in connection with Petition No. Z-2248, brought by Commercial Inland Properties, Inc., 81-85 Atlantic Avenue & 175-179 Commercial Street, in the Waterfront Urban Renewal Area, for a conditional use permit for a change of occupancy from manufacturing, warehouse and bar to 48 apartments, stores, restaurant and offices in a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The waterfront district is undergoing a substantial conversion from a mercantile to a residential character. The proposal would be consistent with this prevailing change, with the intent of the Waterfront Urban Renewal Plan, and would improve and make viable a deteriorating structure.

Z-2248
-85 ATLANTIC AVE.
5-179 COMMERCIAL ST.
(B.P)



Board of Appeal Referrals 9/9/71

Petition No. Z-2249
Vito DiCrescenzo
309-311 Bennington Street, East Boston

Petitioner seeks a conditional use permit to erect a one story retail ice cream store in a general business (B-1) and a light manufacturing (M-1) district. The proposal would violate the code as follows:

Section 8-7. Retail sale of food is conditional in a B-1 district.

The property, located on Bennington Street at the intersection of Chelsea Street in Day Square, contains 3,574 square feet of vacant land. The general area consists of two and three story frame structures with business uses at street level and residential units above. The proposed retail catering establishment with its attendant traffic congestion, noise levels, signs and lights would have a disruptive and blighting influence on the surrounding neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-2249, brought by Vito DiCrescenzo, 309-311 Bennington Street, East Boston, for a conditional use permit to erect a one story retail ice cream store in a general business (B-1) and light manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial. The general area consists of two and three story frame structures with business uses at street level and residential units above. The proposed retail catering establishment with its attendant traffic congestion, noise levels, signs and lights would have a disruptive and blighting influence on the surrounding neighborhood.



Z-2249
309-311 BENNINGTON
(E.B.)

Board of Appeal Referrals 9/9/71

Petition No. Z-2250
Joseph Zirilli
203-209 South Street, Jamaica Plain

Petitioner seeks a change in a non conforming use for a change of occupancy from a garage, accessory storage, repair of heating and air conditioning equipment to garage, accessory storage, repair of heating and air conditioning equipment and glass storage in a residential (R-.8) district. The proposal would violate the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on South Street near the intersection of Anson Street, contains a one story brick structure. Essentially, the petitioner proposes to add the storage of glass to the existing garage and equipment repair uses. The proposal would have no significant affect on adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2250, brought by Joseph Zirilli, 203-209 South Street, Jamaica Plain, for a change in a non conforming use for a change of occupancy from a garage, accessory storage, repair of heating and air conditioning equipment to garage, accessory storage, repair of heating and air conditioning equipment and glass storage in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The addition of glass storage to the existing garage and equipment repair uses would have no significant affect on adjacent properties.

Z-2250
203-209 SOUTH ST.
(J.P.)



Board of Appeal Referrals 9/9/71

Petition No. Z-2251
James F. McLaughlin & M. Grealy
141 Faneuil Street, Brighton

Petitioner seeks a forbidden use permit and eight variances to erect a three story and basement 32 unit apartment structure in a residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A multi family dwelling is forbidden in an R-.5 district.		
Section 10-1.	Parking not allowed in front yard.		
Section 14-1.	Lot area is insufficient.	2 acres	23,600 sf
Section 14-3.	Lot width is insufficient.	200 ft.	120 ft.
Section 15-1.	Floor area ratio is excessive.	0.5	1.2
Section 16-1.	Height of building is excessive.	2 stories	3 stories
Section 17-1.	Open space is insufficient.	1000 sf/du	290 sf/du
Section 18-1.	Front yard is insufficient. (Faneuil St.)	25 ft.	10 ft.
Section 18-4.	Front yard is insufficient. (Parsons St.)	25 ft.	10 ft.

The property, located on Faneuil Street at the intersection of Parsons Street, contains a 2 ½ story frame structure which would be demolished. The parcel is a prominent corner lot in a substantial two family neighborhood. The proposed density, 62 units per acre, is excessive and contrary with the existing character of the neighborhood. A proposal of this magnitude would encourage further speculation and deterioration of the neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-2251, brought by James F. McLaughlin & Michael J. Grealey, 141 Faneuil Street, Brighton, for a forbidden use permit and eight variances to erect a three story and basement 32 unit apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The parcel is a prominent corner lot in a substantial two family neighborhood. The proposed density, 62 units per acre, is excessive and contrary with the existing character of the neighborhood. A proposal of this magnitude would encourage further speculation and deterioration of the neighborhood.

Board of Appeal Referrals 9/9/71

Petition No. Z-2252
St. Botolph Club, Inc.
199 Commonwealth Avenue, Boston

Petitioner seeks a conditional use permit and two variances for a change of occupancy from a one family dwelling to a social club and to erect a one story addition in an apartment (H-5-70) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A private club is conditional in an H-5 district.		
Section 20-1. Rear yard is insufficient.	15 ft.	8 ft.
Section 23-2. Off street parking is insufficient.	41 spaces	0

The property, located on Commonwealth Avenue near the intersection of Exeter Street, contains a three story structure. The proposed one story addition would be erected directly over the rear basement extension and would be utilized as a kitchen. The petitioner further proposes to improve the electrical and mechanical systems and provide additional landscaping at the rear of the structure. The staff has no objection to the proposed facility but recommends that space be acquired or leased in the nearby area to supply the required off street parking and that an enclosed refuse and garbage facility be provided at the rear of the property. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2252, brought by St. Botolph Club, Inc., 199 Commonwealth Avenue, Boston, for a conditional use permit and two variances for a change of occupancy from a one family dwelling to a social club and to erect a one story addition in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval provided that the petitioner acquire or lease space in the nearby area to supply the required off street parking and that an enclosed refuse and garbage facility be provided at the rear of the property.

[illegible]

Board of Appeal Referrals 9/9/71

Petition No. Z-2253
Baskin Robbins Eastern Corp.
309-315 Huntington Avenue, Boston

Petitioner seeks a forbidden use permit for a change of occupancy from 56 apartments and restaurant to 56 apartments, restaurant, barber shop, music store and retail ice cream store in an apartment (H-3) district. The proposal would violate the code as follows:

Section 8-7. A take out restaurant is forbidden in an H-3 district.

The property, located on Huntington Avenue between Gainsboro Street and Opera Place, contains a five story residential - commercial structure. The proposed retail ice cream outlet would replace a former palmistry parlor and drug store. There would be no seating facilities. The area is mainly student oriented. The proposed retail facility would be consistent with adjacent small business uses and would not have a harmful effect on surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2253, brought by Baskin Robbins Eastern Corp., 309-315 Huntington Avenue, Boston, for a forbidden use permit for a change of occupancy from 56 apartments and restaurant to 56 apartments, restaurant, barber shop, music store and retail ice cream store in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. The proposed retail facility would be consistent with adjacent small business uses and would not have a harmful affect on surrounding properties.

Z-2253
309-315 HUNTINGTON AVE.
(B.P.)

